

AN ORDINANCE **98638**

AMENDING CHAPTER 20 OF THE CITY CODE OF SAN ANTONIO, RELATING TO TERMS OF MUNICIPAL COURT JUDGES.

WHEREAS, Article XII, Section 160 of the City Charter provides that after expiration of a judge's fixed term of office, a municipal court judge for the City of San Antonio "shall continue to hold office until his successor is appointed and qualified," and

WHEREAS, Section 20-5 of the City Code of San Antonio includes language that purports to limit the Charter holdover provision for a judge to a maximum period of ninety days; and

WHEREAS, the City Council wishes to avoid any confusion about the term of office established for municipal court judges or any suggestion that the Charter-established power of a judge to continue to hold office after the expiration of the judge's term of office is limited in time; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Section 20-5 of the City Code of San Antonio is amended by inserting the underlined words and deleting the words shown with a strike-through, as follows:

Section 20-5. Term of Office of Judges. The term of office of municipal judges is two (2) years, beginning on from the effective date established by of the ordinance that accomplishes the appointment or reappointment. ~~However, in the event there is no reappointment or new appointment prior to the end of a judges two-year term, the judge is authorized to continue in office as a holdover judge for up to ninety (90) days or until the effective date of an ordinance that establishes the appointment of a new judge or the reappointment of the sitting judge, whichever occurs first.~~

SECTION 5. This ordinance is effective December 28, 2003.

PASSED AND APPROVED this 18th day of December, 2003.

ATTEST: Jolanda L. Kelem
City Clerk

Ed D. Garza
M A Y O R
EDWARD D. GARZA

APPROVED AS TO FORM: Andrew Martinez
City Attorney